

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled HIGH SPEED SPINDLE MOTOR FOR DISC DRIVE, the specification of which:

- ☒ is attached hereto.
☐ was filed on _____ as Application Serial No. _____.
☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority Claimed

| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|----------|-----------|------------------------|------------------------------|-----------------------------|
|----------|-----------|------------------------|------------------------------|-----------------------------|

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| (Application Serial No.) | (Filing Date) |
|--------------------------|---------------|
| 60/146,446 | July 29, 1999 |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| (Application Serial No.) | (Filing Date) | None (Status-patented, pending, abandoned) |
|--------------------------|---------------|---|
|--------------------------|---------------|---|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature

Full name of sole or first inventor

Residence

Citizenship

Post Office Address

Griffith D. Neal

Date: 12-21-99

Griffith D. Neal

Alameda, California

United States of America

1334 Bay Street, Alameda, California 94501

BRINKS HOFER GILSON & LIONE

P.O. Box 10395

Chicago, IL 60610

(312) 321-4200

Inventor(s):

GRIFFITH D. NEAL

Title:

HIGH SPEED SPINDLE MOTOR FOR DISC DRIVE**POWER OF ATTORNEY**

The specification of the above-identified patent application:



is attached hereto



was filed on _____ as application Serial No.

I hereby revoke all previously granted powers of attorney in the above-identified patent application and appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

Steven P. Shurtz - 31,424
 Jeffery M. Duncan - 31,609
 Linda D. Kennedy - 44,183

Please address all correspondence and telephone calls to Steven P. Shurtz in care of:

Brinks Hofer Gilson & Lione
 P.O. Box 10395
 Chicago, IL 60610
 (312)321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from GRIFFITH D. NEAL as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

ENCAP MOTOR CORPORATION, a CORPORATION, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:



An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.
 OR



An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, frame _____.
 OR



A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From _____ To: _____
 The document was recorded in the Patent and Trademark Office at Reel _____, frame _____, or a copy thereof is attached.
2. From _____ To: _____
 The document was recorded in the Patent and Trademark Office at Reel _____, frame _____, or a copy thereof is attached.



Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Griffith D. Neal Date: 12-21-99

Name:

Griffith D. Neal

Title:

CEO

Rev. Nov. 98

Applicant or Patentee:
Serial or Patent No:
Filed or Issued:
For:

Griffith D. Neal

Case No.: 8864/8

HIGH SPEED SPINDLE MOTOR FOR DISC DRIVE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐

the owner of the small business concern identified below:

☒

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN

Encap Motor Corporation

ADDRESS OF CONCERN

540 Delancey Street, Suite 301, San Francisco, California 94107

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled HIGH SPEED SPINDLE MOTOR FOR DISC DRIVE by inventor(s) Griffith D. Neal described in

☒

the specification filed herewith.

☐

application serial no. _____, filed _____.

☐

patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME

ADDRESS

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME

ADDRESS

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

SIGNATURE

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

Griffith D. Neal

CEO

Encap Motor Corporation, 540 Delancey Street, Suite 301, San Francisco, California 94107

DATE 12/21/99

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